## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MICHAEL E. ALLEY,	)	
Petitioner,	)	
V.	)	1:06CV384
WILLARD JOBE, Administrator, Avery Mitchell Correctional Institution,	)	
Respondent.	)	

J-U-D-G-M-E-N-T

For the reasons set forth in the Order filed contemporaneously with this Judgment,

IT IS HEREBY ORDERED AND ADJUDGED that Respondent's motion for summary judgment [Pleading no. 3] be **GRANTED**, that Petitioner's motion for summary judgment [Pleading no. 7] be **DENIED**, and that this action be, and is hereby, dismissed with prejudice. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

WITED STATES DISTRICT JUDGE

DATE: February 20, 2007